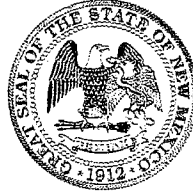


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October 8, 2008

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** David Harrell 

**RE: STAFF REPORT: INTERSTATE COMPACT ON EDUCATIONAL  
OPPORTUNITY FOR MILITARY CHILDREN**

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The 2008 interim workplan for the Legislative Education Study Committee (LESC) includes a report on the Interstate Compact on Educational Opportunity for Military Children, a document that states are being encouraged to adopt to address the educational transition issues of children of military families.

**Nature of Interstate Compacts**

According to the Council of State Governments (CSG), interstate compacts are contracts between two or more states – somewhat like treaties between nations – that establish agreements at either the regional or national level. As such, CSG adds, "Compacts have the force and effect of statutory law and take precedence over conflicting state laws, regardless of when those laws are enacted."

Compacts have their origin in American Colonial history, when they were sometimes used to resolve state boundary issues. Now they are used for issues in which states have traditionally exercised control and sovereignty, such as education. Currently, approximately 200 compacts are in effect throughout the United States although some are inactive; and each state, on average, has adopted between 23 and 25 compacts of various kinds. The CSG further notes that these compacts cover a range of issues in addition to education: among them, conservation and resource management, civil defense, emergency management, energy, criminal justice, transportation, and taxes.

One advantage of interstate compacts, according to CSG, is that they give states the opportunity to address policy issues themselves, without involvement of the federal government. One disadvantage, however, is “the ceding of traditional state sovereignty.” Overall, CSG suggests, the interstate compact can be a desirable arrangement for states: “as the balance of power continues to realign in our federalist system, states may only be able to preserve their sovereign authority over interstate problems to the extent that they share their sovereignty and work together cooperatively through interstate compacts.”

Regarding the matter of state sovereignty, the Federal Affairs Counsel for Education with the National Conference of State Legislatures offers a different perspective. In a draft memo to a state legislator in Washington (see Attachment 1), Mr. David Shreve notes that most current compacts are limited to a narrow range of policy concerns, like the placement of an intake pipe in a river along two states’ boundaries. By contrast, “The K-12 governance system in the United States is diffuse, diverse and enormously complex.” Moreover, the provisions of the Interstate Compact on Educational Opportunity for Military Children in particular “cede state and local policy authority to the additional level of government created by the ‘Compact.’”

### **Unique Needs of Military Children**

According to the Military Child Education Coalition (MCEC), military children move from six to nine times during their K-12 school years, often with multiple moves during high school years overall and the senior year in particular. The website of USA4Military Families adds: “Deployable military units plan for leaving at a moment’s notice, and try to prepare families to deal with the sudden absence of a key member of the family. Even with these plans, there are always unforeseen difficulties that may arise with houses, cars, pets, finances, schools, illnesses, etc.” The MCEC further notes that, although many states and communities “have responded on an ad hoc basis to ease the shift of military children, no comprehensive policy approach exists to improve the long-term educational transitions and outcomes” for military children.

While this need has always existed, it may be even more acute now. Citing the Pentagon and military historians, a recent article in the *Washington Post* says that today’s military, serving in Iraq and Afghanistan, has a greater percentage of parents than in any other conflict, partly because of increased reliance on the National Guard and reserves and partly because of the growing number of women in uniform. In addition, according to this story, of the more than 800,000 parents deployed since September 11, 2001, more than 200,000 have been deployed twice, and over 100,000 have been deployed three or more times.

Finally, a recent report by the Secretary of Defense says, “the ongoing relocation of thousands of military students through Base Realignment and Closure (BRAC), global rebasing, and other force structure changes has created an urgent need and responsibility to enrich and expand partnerships with military-connected communities to ensure the best possible educational opportunities for students.” This report adds that the Department of Defense (DoD) considers the education of military students “a vital national security issue.”

## Development of the Model Compact

### *Drafting*

To address these needs of military families, the National Center for Interstate Compacts of the CSG, in cooperation with the DoD Office of Personnel and Readiness, drafted a new interstate compact.

The work began with two meetings of the Advisory Group, which comprised more than 20 representatives of regional and national organizations, among them the Education Commission of the States, the National Education Association, the National Association of Elementary School Principals, the National School Boards Association, and the National Parent Teachers Association. According to CSG, this group produced a number of recommendations about what the compact should contain.

Soon after the Advisory Group completed its work, the Drafting Team of five compact and issue area experts incorporated the recommendations and other points into a draft compact, which was submitted for public comment in July 2007.

In December 2007, in New Orleans, CSG held a briefing on the compact for legislators and staff members from some 30 states, New Mexico not among them.

- “During the briefing,” CSG says, “the attendees spent hours intensively dissecting, debating and analyzing the model language. They ultimately arrived at what they considered to be a document that would be responsive not only to the needs of the military families who would benefit from its impact, but also to the needs of the state education officials, administrators and faculty who were charged with handling such issues on a regular basis.”
- Another purpose of the briefing was to ask legislators to support legislation so that their states could join the compact. One of the officials who spoke at the briefing said that military children should not be penalized academically by their parents’ choice to serve their country; and another noted that, despite progress during the past several years in assisting military families with school-related issues, more cooperation among the states was still needed.

The companion document to this report, *Interstate Compact on Educational Opportunity for Military Children: Legislative Resource Kit* (Lexington, Kentucky: Council of State Governments, January 2008), contains not only the model compact itself but also a summary of the compact, answers to frequently asked questions, case studies (including one from Albuquerque), a budget and other fiscal notes, a table of states’ military student populations, and rosters of the Advisory Group and the Drafting Team.

## ***Major Provisions***

Among its major provisions, the model compact:

- creates the Interstate Commission, a national governing body with rule-making and enforcement authority, whose members include one representative from each member state;
- provides that the compact will become effective and binding when at least 10 states adopt it;
- requires member states to develop a state council, with a prescribed basic membership, to coordinate services; and to appoint or designate a military family education liaison to facilitate the implementation of the compact;
- provides for a full-time staff for the commission;
- specifies that the compact applies only to the children of:
  - active duty members of the uniformed services;
  - severely injured or medically discharged or retired members, for one year after discharge or retirement; and
  - members of the uniformed services who die on active duty or as a result of injuries sustained on active duty, for one year after death; and
- includes specific provisions that address the range of issues that confront military students, including educational records, immunizations, age of enrollment in certain courses, extracurricular activities, course placement, special education services, absences, and graduation requirements.

## ***Status of the Interstate Compact***

In July 2008, Delaware became the tenth state to adopt the compact, thus activating the compact in the 10 states that had signed it and in any other states that subsequently join. North Carolina became the eleventh state, adopting the compact in August 2008. The other states that are now part of the compact are Arizona, Colorado, Connecticut, Florida, Kansas, Kentucky, Michigan, Missouri, and Oklahoma.

A number of other states have considered compact legislation; and at least three of them – Illinois, Maryland, and Washington – have enacted legislation creating a task force to study the compact. The bill in Illinois created a drafting advisory committee, which, according to a legislative staff member, is responsible for drafting and submitting to the General Assembly a model implementation statute and a report outlining all the issues raised by the implementation by December 31, 2008. As part of its study, Washington has prepared a detailed matrix that compares provisions of the compact with related state laws. Recommendations from this task force are expected by December 1, 2008. In New Hampshire, an amendment for the compact failed; and in Georgia, the Legislature passed a

bill adopting the compact but the Governor vetoed it (see “The Interstate Compact in New Mexico: Issues,” below). Attachment 2 provides a state-by-state status report.

The next step in the compact process is the inaugural meeting of the Interstate Commission, scheduled for October 27-29, 2008 in Mesa, Arizona. At that meeting, according to CSG and DoD, officers will be elected and committees formed, including the rules committee. CSG and DoD anticipate that the rules committee will take up to a year to draft and propose the rules for the commission, which will then be put to a vote of the members, presumably 12 months after this inaugural meeting.

### **The Interstate Compact in New Mexico**

As one of the states with a significant military presence, New Mexico faces the issues addressed in the compact; and, in some ways, the state is already addressing them. For example:

- rules promulgated by the Public Education Department (PED) provide for the transfer and acceptance of credit earned elsewhere, as well as the timely forwarding of transcripts and copies of pertinent student records, in compliance with state and federal law;
- the bylaws of the New Mexico Activities Association accommodate students who transfer from another school, district, or state; and
- legislation enacted in 2007 permits a military dependent whose parent is a member of the New Mexico National Guard or a branch of the US armed forces and is transferred out of state to receive a New Mexico high school diploma under certain conditions, thus making the student eligible for the Lottery Success Scholarship.

These provisions notwithstanding, however, two recent meetings of school and military officials in New Mexico – one in Portales in June and the other at White Sands Missile Range in August – suggest that the issues facing military students remain unresolved. One factor is the anticipated growth in the number of military students in certain school districts.

As required by federal law, the Secretary of Defense recently provided an update to Congress on the DoD plan to assist school districts that experience growth or decline in the enrollment of military students as a result of force structure changes, relocation of military units, or the closure or realignment of military installations under base closure laws. This report includes projections through school year 2010-2011 of the number of military students to be gained or lost at military installations throughout the country. For these installations in New Mexico – Cannon Air Force Base, Holloman Air Force Base, Kirtland Air Force Base, and White Sands Missile Range – the projections call for growth in the number of military students in each case: 4,800, 71, 190, and 2,013, respectively, for a total of 7,074 new students of military families through school year 2010-2011.

Other projections for White Sands Missile Range in particular come from a recent presentation to the Public School Capital Outlay Council by Las Cruces Public Schools. In

this case, the district estimates an additional 200 to 254 students by December 2008 and another 1,931 to 2,000 students by 2013. The district anticipates that 93 percent of these new students will attend district schools: approximately 2,000 students altogether.

### *Issues*

If New Mexico were to adopt the compact, the state would probably find that accommodating some of the specific provisions – like a grace period for immunizations – would correspond with present law or district practice; on the other hand, certain other specific provisions – like waiving specific courses required for graduation (New Mexico history, for example) – would conflict with state law or district practice.

Deserving particular scrutiny, however, are some of the broader policy implications, which other states have already noted and which Mr. Shreve addresses in his “admonition to understand [the compact’s] far-reaching impact.” To borrow another phrase from Mr. Shreve, this report raises these points not to undermine the compact or to suggest that the committee reject it, but rather to ensure that the committee is aware of the commitment that adopting the compact entails.

Some of these policy implications involve a point already noted: state sovereignty.

- For one thing, the provisions of the compact in general take precedence over state law: “All member states’ laws conflicting with this compact are superseded to the extent of the conflict.”
- For another, the rules promulgated by the Interstate Commission “shall have the force and effect of statutory law and shall be binding in the compact states to the extent and in the manner provided in this compact.” On this point, the Florida law contains a repeal clause, effective two years after the effective date of the legislation. According to an analysis of the Florida legislation, “The repeal will allow the Legislature to review the compact after the adoption of rules by the Interstate Commission.” Also on this point, the North Carolina law amends this provision of the compact to read that a rule promulgated by the Interstate Commission “has the force and effect of rules promulgated under the [state] *Administrative Procedures Act* . . . .”

Enforcement provisions are another aspect worth noting.

- One of the powers of the Interstate Commission is “[t]o enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process.”
- If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities, the commission may take a number of actions, from specifying conditions to remedy the default to suspending the state’s membership in the compact to initiating legal action in the US District

Court for the District of Columbia, possibly seeking both injunctive relief and damages.

- The compact also requires the executive, legislative, and judicial branches of state government in each member state to “enforce this compact and . . . take all actions necessary and appropriate to effectuate the compact’s purposes and intent.” Another amendment in the North Carolina legislation clarifies that any cause of action could be initiated only against the state, not a local school district. Furthermore, in response to queries from LESC staff, CSG and DoD indicated that they do not anticipate significant non-compliance; rather, the compact presumes that most enforcement issues will take the form of technical assistance to member states to alleviate a lack of understanding. “Only in the event of willful, deliberate non-compliance would penalties or legal action even be considered . . . [and] the specifics for penalties have not yet been addressed.”

Still other, more specific, provisions of the compact are likely to have a “far-reaching impact” on New Mexico although it is difficult at this point to predict the extent of the impact.

- One of the duties of the Interstate Commission is to “collect standardized data concerning the educational transition of the children of military families under this compact as directed through its rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements.”
  - In recent years, New Mexico has made substantial investments in and numerous enhancements to its education data collection and dissemination systems, including the Student Teacher Accountability Reporting System and the Teacher Education Accountability Reporting System.
  - In response to a query from LESC staff, CSG and DoD have said that this compact requirement is not likely to require a state to make any data-related changes; however, given the complexity and expense of data systems and the uncertainty of the commission’s rules, this provision merits attention.
- The compact allows the Interstate Commission to levy and collect an annual assessment from each member state to finance the operations of the commission and its staff. The assessment amount is to be allocated based on a formula “to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.”
  - At this point, the CSG and DoD expect the first assessment during FY 10 and they estimate the cost to states at \$1.00 per eligible military student. At this rate and with the current population of 6,070 eligible students, according to CSG and DoD, the initial assessment to New Mexico would be approximately \$6,070. This figure may not reflect the actual cost, however.

- Using figures provided by the CSG – an estimated budget for the Interstate Commission of \$630,389 and total assessments of the states that have adopted the compact thus far, based on their eligible military student populations – an analysis of the North Carolina legislation concludes that that state’s first-year assessment could be as high as \$166,000.
- This analysis further suggests that, as more states adopt the compact, the assessment to each member state will decrease.
- Notably, it was on fiscal grounds that the Governor of Georgia vetoed that state’s compact legislation: “Should the General Assembly fail to appropriate the undetermined amount [of the fees], the proposed compact would subject the State of Georgia to a lawsuit to recover funds. I cannot support a self-perpetuating financial obligation imposed on Georgia tax payers.”
- In addition to the assessments by the Interstate Commission, member states are likely to incur other costs.
  - For one thing, additional costs will arise from state officials’ attendance at meetings of the Interstate Commission. CSG and DoD will cover the costs of the interstate commissioner from each state, but the costs of other attendees are each state’s responsibility. States must also bear the costs of meetings of the required state council and costs associated with the military family education liaison, especially if this position is salaried.
  - For another thing, as noted above, there is also the possibility that the commission may assess fines against states in default of the compact.

Finally, one of the questions that other states have raised is why the provisions of this compact apply only to children of military families. Granted that military families move more frequently, usually with less notice and choice than civilian families, the needs of a transferring student, whether military or civilian, are essentially the same.

### **Other Related Services for Military Families**

In addition to the compact under consideration here, a number of other organizations and services are available to help military families with school-age children. Two of them are discussed below and others are discussed in Attachment 3. The first two organizations discussed below and the first one listed in the attachment were among the organizations that served on the Advisory Group for the compact.

#### ***Military Child Education Coalition***

One organization active in New Mexico is the Military Child Education Coalition (MCEC), which describes itself as a “non-profit, world-wide organization that identifies the challenges facing the highly mobile military child, increases awareness of these challenges in military and educational communities, and initiates and implements programs to meet the challenges.”



- The MCEC works with both military installations and school districts to facilitate communication and to ease the transition of military students. Nine school districts in New Mexico are among the more than 300 school systems throughout the country that have signed the memorandum of agreement, which, according to the MCEC, “provides a common structure for information-sharing and reciprocal processes.”
- As listed on the organization’s website, the member school districts in New Mexico are the ones located near military installations: Alamogordo Public Schools, Albuquerque Public Schools, Cloudcroft Municipal Schools, Clovis Municipal Schools, Gadsden Independent Schools, Hatch Valley Public Schools, Las Cruces Public Schools, Portales Municipal Schools, and Tularosa Municipal Schools.
- Among the services that the MCEC offers are training sessions for school districts conducted by school liaison officers and a handbook for garrison commanders and school superintendents.

### ***Military Impacted Schools Association***

Formed in 1986, the Military Impacted Schools Association (MISA) describes itself as “a national organization that works to provide a continuum of quality education for all military children.” The membership comprises “heavily impacted school districts serving military installations” in 26 states, New Mexico not among them. According to the MISA website, the organization focuses much of its effort on federal Impact Aid, including a new provision “specifically for school districts that qualify for DoD Impact Aid Funding for Military Children that experience an increase or decrease [of 5.0 percent or more in the number of] military students during the school year.” In addition, MISA sponsors workshops for school principals that address such topics as the psychological needs of military children in transition, military acronyms and abbreviations, and tips for working with military children during times of separation and homecoming.

- One of the services sponsored by the MISA, in partnership with the University of Northern Iowa and The Princeton Review, is an internet-based program called SOAR (Student Online Achievement Resources). Designed for military families and the school districts that serve them, this program is intended to address “the unique challenges facing military children in our nation’s public schools, while benefiting the overall student population.” Among its components, SOAR provides resources for at-home learning activities, information about state-specific standards and assessments, links to USDE and other educational resources, and tutorials to reinforce specific skills. According to a recent issue of *eSchoolNews*, several thousand military families have accessed the website so far and more are expected as the program completes its pilot phase in fall 2008.
- Another service of the MISA is Military OneSource, an online directory of information, educational materials, and other forms of assistance in a variety of categories, including education, that is accessible by registered members of the military.

## Policy Options

Considering the needs that the compact is intended to address; the mobility of New Mexico students in general; the education-related services already available to military families; and the potential effects of the compact upon students, school districts, charter schools, and PED, the committee may wish to consider several policy options.

Regarding options 1 and 2, below, CSG expects a member state's legislation to be substantially the same as the model compact language. A state officials guide prepared by CSG refers to states' "adopting identical compact language"; and the legislative resource kit notes, "The requirement of substantive sameness prevents party states from passing dissimilar enactments." In addition, in response to queries from LESC staff, CSG and DoD have advised that states' legislation is subject to review by the CSG Legal Department to ensure that there are no material changes to the compact. Even so, "states are permitted to make grammatical and stylistic changes as well as state specific enabling language."

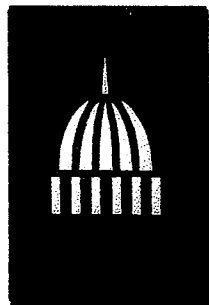
Regarding option 3, Mr. Shreve offers this advice: "It would be prudent to convene a study group that would think through the reverberations of this decision [whether to adopt the compact] on state and local policy and, more importantly, its effect on military families and dependents themselves."

With these points in mind, the committee may wish to consider the following policy options:

1. endorse legislation to adopt the model compact as presented;
2. endorse legislation to adopt the compact with certain amendments, to be determined;
3. endorse a memorial requesting that PED, in collaboration with the New Mexico Activities Association (NMAA), school districts, charter schools, and representatives of military families, examine the potential effects of the compact upon students, school districts, charter schools, and PED; and report findings and recommendations, if any, to the LESC;
4. endorse a memorial requesting that PED, in collaboration with the NMAA, school districts, charter schools, representatives of military families, and representatives of public school students and their families in general, examine the provisions in the *Public School Code*, PED rule, the bylaws of the NMAA, and local school board policies that affect transferring students, especially military students, to determine whether these provisions serve the needs of transferring students in general; and report findings and recommendations, if any, to the LESC; or
5. send a letter to the Secretary of Public Education requesting that PED, in collaboration with school districts, charter schools, local school boards, and military families, consider whether school districts near military installations should become affiliated with the Military Impacted Schools Association.

**Presenter**

For this presentation, Mr. James D. Rickel, Quality of Life Regional Liaison, Department of Defense State Liaison Office, will review the provisions of the compact and explain how the compact might meet the needs of students from military families in New Mexico.



# NCSL MEMO

NATIONAL CONFERENCE of STATE LEGISLATURES

RECEIVED

JUL 23 2008

To: Rep. Sharon Tomiko Santos

Santos.sharon@leg.wa.gov Santos.SharonTomiko@leg.wa.gov

LESC

From: David Shreve; Federal Affairs Counsel, Education

Date: March 4, 2008

Subject: **DRAFT** response to your request regarding an evaluation of the *Interstate Compact on Educational Opportunity for Military Children*

The *Interstate Compact on Educational Opportunity for Military Children* is an attempt to remove barriers to the smooth transition of military dependents from one school to another, one local education agency (LEA) to another and from one state K-12 system to another. The following observations are based on a conversation with one of the drafters of the "Compact", my review of the document and supporting material and my professional judgment. The views expressed here do not represent the official policy positions of NCSL.

The mechanism proposed is found in Article I, Section 10 of the U.S. Constitution and in the 1893 Supreme Court decision *Virginia v. Tennessee*. Article I identified and regulated interstate agreements by subjecting them to federal approval; the Supreme Court case stipulated that not all compacts required federal approval. Currently there are more than 200 interstate compacts applying to a range of issue areas including conservation and resource management, civil defense, emergency management, energy, criminal justice, transportation and taxes. Washington currently belongs to about 30 compacts, ranging in policy complexity from the *Interstate Pest Control Compact* to the *Western Regional Educational Compact*.

The events precipitating the release of a draft of the *Interstate Compact on Educational Opportunity for Military Children* in December 2007, is the United States' on-going military operations world-wide and the resulting relocation and dislocation for military dependents. The "Compact" hopes to address the following: the difficulty in timely transfer of student records and student data; the differing requirements for eligibility for sequential course work and graduation; conflicting eligibility for extra-curricular activities; missed entrance or exit exams; entrance age variations; and changes in custodial arrangements and/or school transfers outside of prior legal residences.

This attempt to address this problem is heartfelt and sincere. Clearly, there are enough pressures on these families without subjecting them to additional bureaucratic snafus. However, there are a number of issues and realities that should be addressed before a state should enter into the agreement as structured. This is not an argument to reject the "Compact" but an admonition to understand its far-reaching impact.

Initially, it should be noted that the majority of the compacts currently in effect in the states are limited to a narrow range of policy concerns, i.e. the placement of an intake pipe in a boundary river or the regulation of chemical fertilizers in an estuary basin. The K-12 governance system in the United States is diffuse, diverse and enormously complex. Decisions within the proposed "Compact" outline would impact an enormous

range of both state education policies (and related policies in privacy and guardianship), LEA policies and individual school implementation.

By voluntarily signing on to the “Compact”, states would cede some degree of authority over the following:

- Privacy laws regulating student records and family rights. The “Compact” requires that schools must share records in a “timely” manner.
- State health laws for immunizations, as well as additional privacy laws specific to health records.
- State laws regulating enrollment ages.
- Special powers of attorney relative to guardianship and non-custodial parents.
- State and local finance formulas regarding a child placed in the care of non-custodial parents.
- Certain graduation requirements on a case-by-case basis.
- The requirements related to state exit exams.

In addition, states would be required to set up a “State Council” to regulate and require compliance with the terms of the “Compact.” The “Interstate Commission” created to govern the “Compact” would have the “ability to enforce the provision of the “Compact” and its rules on states and school districts.” States would be represented on the Commission by a member appointed by the Governor. The enforcement capacity would “force states and districts to comply for the good of military children.” Finally, the “Compact” would assess the contribution each member state must make to fund the administrative and compliance arm -- (the “Interstate Commission”). All of these actions cede state and local policy authority to the additional level of government created by the “Compact.” While such far-reaching actions might be acceptable if the desired outcomes are met, there is no guarantee that is the case. (See unintended consequences below.)

At the risk of being repetitive, these issues are not intended to deny that a problem exists. This is not an argument to reject the “Compact” but an admonition to understand its far-reaching impact. It would be prudent to convene a study group that would think through the reverberations of this decision on state and local policy and, more importantly, its effect on military families and dependents themselves, before any state makes a decision to endorse the “Compact” in its current form.

To this date, the “Compact” has been introduced in 17 states and passed at least one chamber in 4 states. The drafters expect 6 or 7 state legislatures to ratify the “Compact” by the end of the short-session legislatures in early May. With no deadline for ratification, your state has plenty of time to give this proposal the thoughtful and deliberative consideration that it warrants. The alternative might be precipitous enactment leading to the bane of education policy initiatives: well-intended actions generating perverse unintended consequences that make the situation worse rather than better for our military dependents.

**Interstate Compact on Educational Opportunity for Military Children  
State-by-State Status**

**Updated August 25, 2008**

SOURCE: Council of State Governments

<u>State</u>	<u>Bill</u>	<u>Primary Sponsor</u>	<u>Status</u>
<b>Alabama</b>	<u>HB343</u>	Ford	Passed H; S awaiting 3 <sup>rd</sup> reading
<b>Alaska</b>			
<b>Arizona</b>			<i>Signed by the Governor 4/28/08</i>
<b>Arkansas</b>			
<b>California</b>	<i>*AB 1809x</i>	Saldana, Lieu	<i>Urgency Clause adopted &amp; enrolled, 8/22/08</i>
<b>Colorado</b>			<i>Signed by the Governor 6/05/08</i>
<b>Connecticut</b>			<i>Signed by the Governor 5/12/08</i>
<b>Delaware</b>			<i>Signed by the Governor 6/11/08</i>
<b>Florida</b>			<i>Signed by the Governor 6/23/08</i>
<b>Georgia</b>	<u>SB 345</u>	Harbison	Vetoed
<b>Hawaii</b>	HB3124 / HB3026 / *SB2877 x/ SB3046	Say / Takai / Sakamoto / Hanabusa	In comm. / In comm./ Passed S as task force/ In comm.
<b>Idaho</b>			
<b>Illinois</b>	HB5368	LaVia	<i>Task force bill signed by Governor 7/16/08</i>
<b>Indiana</b>			
<b>Iowa</b>			
<b>Kansas</b>			<i>Signed by the Governor 4/9/08</i>
<b>Kentucky</b>			<i>Signed by the Governor 4/10/08</i>
<b>Louisiana</b>			
<b>Maine</b>			
<b>Maryland</b>	<i>*HB 784X / SB 457</i>	Kaiser / Astle	<i>Task force bill signed by Governor</i>
<b>Massachusetts</b>			
<b>Michigan</b>			<i>Signed by the Governor 6/11/08</i>
<b>Minnesota</b>			
<b>Mississippi</b>	<u>SB 2704</u>	Carmichael	Dead
<b>Missouri</b>			<i>Signed by the Governor 6/11/08</i>
<b>Montana</b>			
<b>Nebraska</b>			
<b>Nevada</b>	<u>BDR 186</u>	Nolan	Pre-filed, 8/01/08

<u>State</u>	<u>Bill</u>	<u>Primary Sponsor</u>	<u>Status</u>
<i>New Hampshire</i>	<i>**HB1261 AM</i>	<i>Bedrick</i>	<i>Compact amendment failed</i>
<b>New Jersey</b>	<u>A2640</u>	Smith	Intro'd & ref'd to Edu Comm
<b>New Mexico</b>			
<b>New York</b>			
<b>North Carolina</b>			<i>Signed by the Governor 8/07/08</i>
<b>North Dakota</b>			
<b>Ohio</b>	<u>SB 351</u>	Spada	Intro'd 7/02/08
<b>Oklahoma</b>			<i>Signed by the Governor 6/06/08</i>
<b>Oregon</b>			
<b>Pennsylvania</b>	<u>HB 2566</u>	Murt	Intro'd & ref'd to Vet Affairs 5/27/08
<b>Rhode Island</b>			
<b>South Carolina</b>			
<b>South Dakota</b>	<u>SB125</u>	Olson	<i>Passed Edu comm. Session ended 3/17/08</i>
<b>Tennessee</b>			
<b>Texas</b>			
<b>Utah</b>			
<b>Vermont</b>			
<b>Virginia</b>	<u>HB 395</u>	Cole	<i>Passed H; S carried over to 2009</i>
<b>Washington</b>	<i>*HB 2918 x / SB 6426 x</i>	Wallace / Hobbs	<i>Task Force bill signed by Governor</i>
<b>West Virginia</b>			
<b>Wisconsin</b>			
<b>Wyoming</b>			
<b>Amer. Samoa</b>			
<b>Dist. of Columbia</b>			
<b>Guam</b>			
<b>N. Mariana Is.</b>			
<b>Puerto Rico</b>			
<b>U.S. Virgin Islands</b>			

\*X - Compact language removed  
\*\* AM - Compact language added

**ADDITIONAL ORGANIZATIONS AND SERVICES  
THAT ADDRESS THE EDUCATIONAL NEEDS OF MILITARY CHILDREN**

***National Military Family Association***

Since 1984, the National Military Family Association (NMFA) has advocated for improvements in the quality of life for military families. In addition to the education of military dependents, the association addresses such issues as medical and dental benefits, retiree and survivor benefits, and relocation and spousal employment. The membership of the NMFA comprises military and civilian families, businesses, and military affiliated organizations. It is one of a group of 35 military, veterans, and uniformed services organizations called The Military Coalition, whose common goals include representing the interests of the entire uniformed services community.

***Department of Defense Education Activity***

Recently, the DoD designated the Department of Defense Education Activity (DoDEA) “to champion quality education for all military children.” In October 2007, the DoDEA launched an initiative called the Educational Partnership Directorate, which intends to:

- develop partnerships with schools and districts that focus on educational best practices, seamless transitions, and deployment support services;
- facilitate agreements at the local and state levels to enhance the education and well-being of military children; and
- extend opportunities for student learning through online and research-based models.

“These and future partnerships,” according to the report of the Secretary of Defense, “will provide for a continuum of collaboration/support based on the local needs of each school community.”

***Memorandum of Understanding Between DoD and the US Department of Education***

Another DoD initiative is the recent memorandum of understanding (MOU) with the US Department of Education (USDE) “to establish a framework for collaboration between the [DoD and USDE] to address the quality of education and the unique challenges faced by children of military families. In addition, the MOU will provide a mechanism to assist communities and local educational agencies . . . as they prepare for projected increases in ‘military dependent students’ at military installations due to Base Realignment and Closure (BRAC), Global Defense Posture Realignment (GDPR), and Grow the Force.”

- The MOU outlines the mutual responsibilities of the DoD and the USDE in terms of quality education, student transition and deployment, data collection, disaggregation, and analysis; communication and outreach; and resources, whether fiscal or otherwise (such as technical assistance and surplus property).
- Among other provisions, this MOU notes that the Secretary of Defense may make grants and supplement other federal funds to assist a state or local government “to provide community planning assistance in areas where base closure and realignment occurs.”
- The Military Child Education Coalition observes that, although designed to be “broad and comprehensive,” the MOU does not mandate any actions by participants, especially local school districts.





# Interstate Compact on Educational Opportunity for Military Children

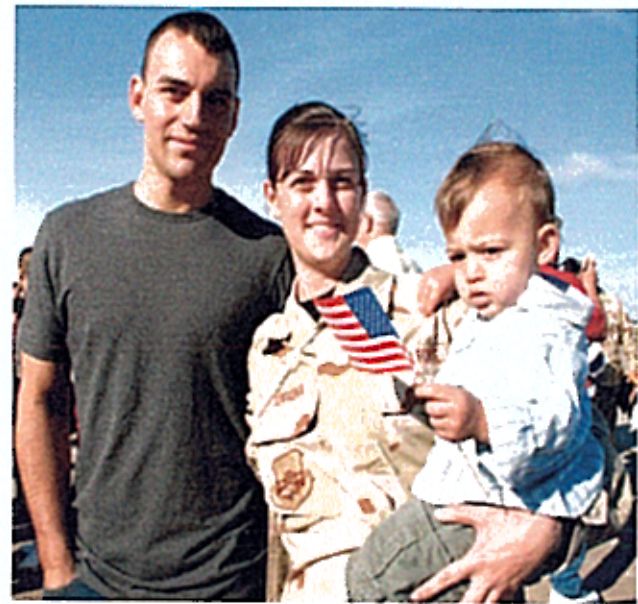
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VIA E-MAIL  
OCT 03 2008

Defense State Liaison Office  
Office of the Deputy Under Secretary of Defense (Military  
Community & Family Policy)  
James D. Rickel, Regional Liaison for Military Families  
October 10, 2008

*Personnel and Readiness*

# DoD Ten Key Issues for Military Families

- Care of the Guard and Reserves
- Assistance to Severely Injured
- In-State Tuition
- **Support Military School Children During Transition and Deployment**
- Spouse Employment
- Unemployment Compensation
- Predatory Lending
- Voting
- Foreign Language Requirements
- Accessible Support for Military Families





# **Educational Opportunities for our Military Children K-12**

- **Defense State Liaison Office Ten Key Issues**
- **Background/Major components of the Compact**
- **Current Status of the compact**
- **History: DOD partnered with CSG**
- **Compact Administration**
- **Feedback/Questions**

# Background & Components of the Issue

- **Four Major Components of the School Compact:**
- **Enrollment, Eligibility, Placement, & Graduation**
- **Focus is on Sending and Receiving States**
  - **Transfer of records and interpretation**
  - **Transition in first weeks of new school**
  - **Extracurricular activity flexibility**
  - **Junior/Senior High School year moves**
  - **Graduation requirements**



# Current Status on Compact

- New Mexico is 23 of 50 states in active duty family members
- 11 States Adopted: KS, KY, AZ, CT, CO, OK, MO, MI, FL, DE, NC
- Other states have introduced the compact
- Need Ten States to be Activated (Completed)
- States are NOT required to Participate
- Legislative Process to adopt Compact
- First Commission Meeting 27-29 Oct 08 – Mesa AZ

# History: DoD Partnered with CSG

- In 2006 DoD partnered with The Council of State Governments (CSG) to develop an interstate compact: [www.csg.org](http://www.csg.org)
- CSG has a solid national reputation for developing compacts addressing interstate issues.
  - Gathered input from a broad base of 18 stakeholders
  - Used multi-disciplinary team to craft document
- More than 200 interstate compacts exist today.
- Nov 2007, CSG delivered a compact, ready for marketing in the United States.



# Compact Administration

- Once Adopted, states internally:
  - **Establish Councils** for internal coordination
  - **Appoint Military Family Education Liaison**
  - **Appoint Commissioner** to represent the State
- Adopting States as part of Interstate Commission:
  - Jointly establish an Interstate Commission composed of voting representatives (Commissioners) from each member State to:
    - **Draft and vote on rules**
    - **Provide oversight, education, guidance and enforcement and Resolve Disputes**
    - **States Jointly Establish funding formulas for member-state contributions to the Commission.**

## Feedback/Questions

- Contact info: [jdrickel@yahoo.com](mailto:jdrickel@yahoo.com) or call (915) 307-3818 or (206) 799-2867
- Thanks for your support
- Our Web Page is <http://USA4Militaryfamilies.org>